

# ORIGINAL INTERVENTION



0000135044

BEFORE THE ARIZONA CORPORATION COMMISSION

RECEIVED

COMMISSIONERS

GARY PIERCE, Chairman  
PAUL NEWMAN  
SANDRA D. KENNEDY  
BOB STUMP  
BRENDA BURNS

2012 MAR - 9 P 12:18

AZ CORP COMMISSION  
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

MAR - 9 2012

DOCKETED BY

IN THE MATTER OF BUDGET PREPAY, INC.  
d/b/a BUDGET PHONE, INC. FOR  
DESIGNATION AS A NON-RURAL WIRELESS  
ELIGIBLE TELECOMMUNICATIONS  
CARRIER

DOCKET NO. T- 04079A-11-0362

**MOTION TO INTERVENE**

Pursuant to A.A.C. R14-3-105, the Arizona Local Exchange Carriers Association  
("ALECA") hereby moves to intervene in the above-captioned case.

**I Service**

Please serve all documents on:

Craig A. Marks  
Craig A. Marks, PLC  
10645 N. Tatum Blvd., Ste. 200-676  
Phoenix, Arizona 85028  
(480) 367-1956 (Direct)  
(480) 367-1956 (Fax)  
[Craig.Marks@azbar.org](mailto:Craig.Marks@azbar.org)  
Attorney for ALECA

**II Interest in Proceeding**

ALECA is comprised of small telephone companies and member-owned cooperatives,  
all of which are providing local exchange telecommunications services to customers in rural,  
high cost areas of Arizona, and all of which are "rural telephone companies" as defined by the  
Communications Act of 1934, as amended (the "Act") 47 U.S.C. 0 153(37). ALECA's members  
are:

- Fort Mojave Telephone Company;
- Frontier Communications Corporation;
- Gila River Telecommunications, Inc.;

- Hopi Telecommunications, Inc.;
- Midvale Telephone Exchange, Inc.;
- San Carlos Apache Telecommunications Utility, Inc.;
- South Central Communications;
- Table Top Telephone Company, Inc;
- TDS;
- Tohono O'odham Utility Authority; and
- Valley Telephone Cooperative; and
- Zona Communications.<sup>1</sup>

Each ALECA member, including its Tribally-owned members, receives support from the Federal Universal Service Fund ("FUSF") in the form of High Cost Support. Each also provides discounted Lifeline telephone service and receives compensation for the discounts from the FUSF. Budget Prepay, Inc. ("Budget Prepay") seeks designation as an Eligible Telecommunications Carrier ("ETC") so that it may provide the services identified in its Application to eligible customers in Arizona. ALECA is concerned that Budget Prepay's proposed service request may raise jurisdictional issues concerning the provision of services on tribal lands.

ALECA reserves the right to take positions on any other issues in this case.

No other party can adequately represent ALECA's interests.

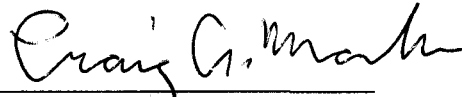
### **III    Requested Relief**

ALECA asks that the Commission grant its Motion to Intervene.

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<sup>1</sup> Fort Mohave Telecommunications, Gila River Telecommunications, Hopi Telecommunications, San Carlos Apache Telecommunications Utility and the Tohono O'odham Utility Authority are tribally-owned telephone Companies, which are not subject to the jurisdiction of the Arizona Corporation Commission.

1 RESPECTFULLY SUBMITTED on March 9, 2012.

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13 Attorney for ALECA  
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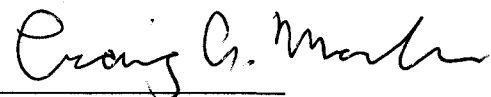
15 **Original** and 13 copies **filed**  
16 on March 9, 2012, with:

17  
18 Docket Control  
19 Arizona Corporation Commission  
20 1200 West Washington  
21 Phoenix, Arizona 85007  
22

23 **Copy** of the foregoing **mailed**  
24 on March 9, 2012, to:

25  
26 Thomas H. Campbell/Alana C. Hake  
27 Lewis & Roca LLP  
28 40 North Central Avenue  
29 Phoenix, AZ 85004  
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31  
32  
33 By:

34   
Craig A. Marks